

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

v.

Case No. 1:23-CR-112 (TSE)

ROBERT JAMES FISCHER, also known as
“ZACHARY BROWN” and “BOBBY”

and

CHEERISH NOEL TAYLOR, also known as
“Cece”

Defendant.

CONSENT ORDER

On July 14, 2023 the parties came before this Court for arraignment. The defendants each appeared with counsel while detained pending trial, waived a formal reading of the Indictment, entered a plea of not guilty, and requested a trial by jury. This Court set this matter down for a three-day trial by jury to begin at 10:00 AM on October 3, 2023. This Court set a deadline that all motions in the case be filed on or before August 11, 2023, with any responses to such motions to be filed pursuant to the Local Rules of this Court. The Court further set a hearing for September 1, 2023, at 9:00 a.m. for argument on any motions filed.

During the arraignment, Defendant Robert James Fischer, through counsel, waived his right to a speedy trial and requested the trial date be set on a date beyond the period of seventy days from the defendants’ first appearance before a judicial officer in this district, as required by 18 U.S.C. § 3161(c)(1). Defendant’s counsel represented to this Court that the Defendant’s request to set his trial outside the Speedy Trial Act’s seventy-day period was based upon the

defendant's need to prepare adequately for trial given the potential need to retain expert witnesses and review voluminous discovery, particularly that contained on electronic devices. The government confirmed that extractions from several electronic devices were seized from the defendants' residence upon arrest, and that the material on such devices are likely to be relevant to the defense given the nature of the drug conspiracy charged involving distribution over the darkweb. At the hearing, Defendant Cheerish Noel Taylor, through counsel, consented to defendant Fischer's request to set the trial date beyond the seventy-day Speedy Trial period.

THE COURT FINDS that pursuant to Section 3161(h)(7)(B)(i), (ii) and (iv), an exclusion of 21 days represents a reasonable period of delay because the ends of justice are served by granting the parties' requested continuance and that the need for this continuance outweighs the best interest of the public and the defendants in a speedy trial. This is so because "the failure to grant such a continuance . . . "would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. §3161. *See id.* at § (h)(7)(B)(iv).

THE COURT FURTHER FINDS that pursuant to Section 3161(h)(7), the ends of justice served by granting the extension outweigh the best interests of the public and the defendants in a speedy trial.

THEREFORE, THE COURT ORDERS that the time period for trial against these defendants be and is hereby extended up to and including October 4, 2023. Accordingly, this case is set for a jury trial to begin at 10:00 a.m. on October 3, 2023;

[CONTINUED ON NEXT PAGE]

IT IS FURTHER ORDERED that twenty-one days from September 13, 2023 shall be excluded from the speedy trial calculation.

It is SO ORDERED.

A handwritten signature in black ink, appearing to read 'T.S. Ellis, III', is written over a horizontal line.

The Honorable T.S. Ellis, III
United States District Judge

July 18, 2023
Alexandria, Virginia